

Placemaking Plan Main Modifications Consultation

Schedule of Duly Made Comments Not Duly Made

Main Modification Reference: General Comment

Respondent Number: 219 Comment Number: 1 Representation received late:
Name: Organisation: Edward Ware Homes
Agent Name: Agent Organisation:
Further Information available in the original comment? Yes Attachments sent with the comment? No

Does the respondent consider the document is legally compliant? (Tick if indicated 'yes')
Does the respondent consider the document is sound?
If the respondent considers the Draft Placemaking Plan is unsound, is it because it is (ticked where indicated):
Not Positively Prepared Not Justified Not Consistent Not Effective

The representation relates to: General Comment / / No comment:

Q4 Soundness Comment

I write on behalf of Edward Ware Homes in respect of the above and how it pertains to its land interests in the district, not least in relation to Langford Lane, High Littleton and Boxbury Hill, Midsomer Norton. The High Littleton site is one that is particularly affected by the Placemaking Plan and the proposed modifications to it.

Housing land supply context to the modifications

The background to the modifications is a submitted site allocations allocation and delivery plan that does not actually enable the delivery of the planned housing requirement of 13,000 homes. The Inspector appears to have taken the view that the shortfall can be viewed as arising in the late 2020s. Further, that corrective action can be deferred to Local Plan Review, following the direction given in the emerging West of England JSP. We do not support this view as it is much better to address these issues within a focused site allocations exercise as opposed to within a wider Plan that will have a broader purpose.

Notwithstanding the long term housing supply position and the Inspector's position on this, at the outset of the examination hearings the Secretary of State published his decision on Bishop Sutton. In this decision he was of the view that the district did not have a 5-year housing land supply. This must remain the default position until such time as evidence is provided and examined to demonstrate the contrary. The Council maintains that it can maintain a 5-year land supply, but this position based on the same evidence that the SoS cast doubt on. Therefore, the position has not moved on in the Council's favour. The proposed modifications to the BANES PMP will be deficient if an assessment of a 5-year supply cannot be demonstrated. To achieve this a hearing session should have been directed to this issue. A 5-year land supply deficit is not something that should be deferred to correction within a full process of Local Plan review when a site allocations plan is being examined. Paragraphs 49 and 14 of the NPPF on plan-making demand action now. We await the Inspector's full assessment on 5-year supply, overall supply and the justification for an alternative view to that expressed in the Bishop Sutton appeal.

NE2A in relation to High Littleton

12. In the context of the proposed changes to Policy NE2A there is no reason why the policy should prevent the allocation of land for around 50 dwellings at Langford Lane, High Littleton for development in the Place-making Plan.

13. Due to proposed amendments to Core Strategy Policy RA.1 on primary school places (which we reject) there is a risk that the housing potential of High Littleton will be downgraded to RA.2 level. There is no further proposed amendment to that approach on which to provide a duly made representation, but we reinforce our previous rejection of the change on footnote two.

14. Notwithstanding those earlier representations (and footnote 2 of this letter) and our position that High Littleton should be tasked with delivering around 50 dwellings; on the basis of the proposed modifications to the PMP High

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Littleton would be suitable for a development of around 15 dwellings as an RA.2 settlement. Langford Lane is the only available site in the village, and revised policy NE2A enables an allocation of this scale to be made with adequate mitigation. The Council has presented no evidence that this would be inappropriate. Further, we are in an NPPF:14 environment (with both prongs in respect of plan-making and decisions taking engaged) and therefore the 15 unit threshold has less weight at this time.

Q5 Change Requested

Does the Respondent wish to participate at the Examination (ticked if yes)?

Why does the Respondent feel it is necessary to participate at the Examination?

Respondent Number: 297 Comment Number: 4 Representation received late:

Name: Organisation: Arena 1865 Ltd

Agent Name: Tim Burden Agent Organisation: Turley Associates

Further Information available in the original comment? No Attachments sent with the comment? No

Does the respondent consider the document is legally compliant? (Tick if indicated 'yes')

Does the respondent consider the document is sound?

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The representation relates to: General Comment / / No comment:

Q4 Soundness Comment

We had previously made representations to the Inspector regarding matters that we were not in agreement with BANES regarding. We note that there are a number of policies where no modifications are proposed. We comment on these below.

Policy CP2 (Sustainable Construction)

We maintain our concerns however with regards to the wording of Bullet 1 of Policy CP2 which is currently as follows:

- "Maximising energy efficiency and integrating the use of renewable and low-carbon energy (i.e. in the form of an energy strategy with reference to Policy CP4 as necessary);"

To ensure this policy is sound and in accordance with the evidence base and requirements of the NPPF we suggest this policy wording be amended to;

- "Utilising energy efficiency measures and integrating the use of renewable and low-carbon energy (i.e. in the form of an energy strategy with reference to Policy CP4 as necessary) where viable

Q5 Change Requested

Does the Respondent wish to participate at the Examination (ticked if yes)?

Why does the Respondent feel it is necessary to participate at the Examination?

Respondent Number: 297 Comment Number: 5 Representation received late:

Name: Organisation: Arena 1865 Ltd

Agent Name: Tim Burden Agent Organisation: Turley Associates

Further Information available in the original comment? No Attachments sent with the comment? No

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Not Justified

Not Consistent

Not Effective

The representation relates to: General Comment / / No comment:

Q4 Soundness Comment

We maintain our objections with regards to Policy SCR1 for the following reasons;

- The evidence base does not assess the unique energy characteristics of a Sports Stadium which does present significant commercial and technical challenges due to the Policy

- It is highly likely that only roof mounted Solar PV cells will be able to meet the requirements of Policy SCR1. The use of PV cells however, is further complicated by Policy SCR2 which presents further design constraints to the type and manner of its installation onto the Sports Stadium.

To ensure Policy SCR1 is justified, effective and in accordance with Government Policy, we believe the proposed amendment below would provide our clients with the flexibility to comply with the carbon reduction target via a more commercially and technically viable route which may consist of a combination of energy efficiency measures and/ or renewable energy technologies.

- "Where the 10% renewable energy is commercially or technically challenging, applicants may secure policy compliance by demonstrating how investments in energy efficiency measures have been used as an alternative."

Without the proposed drafting change, the policy is not justified, effective, or in accordance with government policy.

Q5 Change Requested

Does the Respondent wish to participate at the Examination (ticked if yes)?

Why does the Respondent feel it is necessary to participate at the Examination?

Respondent Number: 297	Comment Number: 6	Representation received late: <input type="checkbox"/>
Name:	Organisation: Arena 1865 Ltd	
Agent Name: Tim Burden	Agent Organisation: Turley Associates	
Further Information available in the original comment? No	Attachments sent with the comment? No	

Does the respondent consider the document is legally compliant? (Tick if indicated 'yes')

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The representation relates to: General Comment / / No comment:

Q4 Soundness Comment

Policy NE2: Conserving and Enhancing the Landscape and Landscape Character

MM46 (Policies Map revision) p.87 makes some proposed changes, but these are not applicable to The Rec, and we have previously requested amendments to this policy.

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With respect of part (1)d. we previously objected to this section as drafted. It is unclear as to how the policy will be used to identify 'important views', which are not defined within this document. As such, the policy is unclear, as particularly within Bath, it will likely be problematic for the LPA to differentiate between 'normal views' and 'important views', and the policy would be open to subjective interpretation. It is noted that paragraph 254 refers to the City of Bath WHS Setting SPD, but that document does not define those 'important views'.

Further, there appears to be some disparity between this element and part (2) of the policy - part (1) inter alia seeks to resist development that does not conserve or enhance 'important views', whereas part (2) appears to take a 'softer' view if appropriate mitigation can be demonstrated to mitigate any adverse impact. We consider that this matter remains unsatisfactorily unaddressed.

Q5 Change Requested

Does the Respondent wish to participate at the Examination (ticked if yes)?

Why does the Respondent feel it is necessary to participate at the Examination?

Respondent Number: 297 Comment Number: 7 Representation received late:
Name: Organisation: Arena 1865 Ltd
Agent Name: Tim Burden Agent Organisation: Turley Associates
Further Information available in the original comment? No Attachments sent with the comment? No

Does the respondent consider the document is legally compliant? (Tick if indicated 'yes')

Does the respondent consider the document is sound?

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Policy LCR5 (Safeguarding existing sports and recreational facilities)

MM44, (Policies Map revision) p.72, proposed an amendment to the Policies Map showing protected recreational open space (Policy LCR5) to correct an error relating to land at Manor Road, Saltford (exclude land that is not part of Saltford Golf Course).

As set out in the SOCG with respect of Policy LCR5, although our clients do not object to the policy wording per se, as it largely replicates Saved Local Plan policy, we object to the proposed ongoing annotation of the whole of the Recreation Ground under this policy. It is apparent that there is conflict between this policy and site specific policy SB2, in that the latter facilitates the development of part of the Rec to "enable the development of a sporting, cultural and leisure stadium". We consider that that annotation should be removed from the Recreation Ground.

Q5 Change Requested

Does the Respondent wish to participate at the Examination (ticked if yes)?

Why does the Respondent feel it is necessary to participate at the Examination?

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Respondent Number: 6088 Comment Number: 1 Representation received late:
Name: Alistair Bradley Organisation:
Agent Name: Agent Organisation:
Further Information available in the original comment? No Attachments sent with the comment? No

Does the respondent consider the document is legally compliant? (Tick if indicated 'yes')
Does the respondent consider the document is sound? No
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The representation relates to: General Comment / / No comment:

Q4 Soundness Comment

Comment on Policy B3a (adopted CS)

I have been unable to locate the right place to feedback on the website about Bath policy B3a at Combe Down. My feedback relates to emergency vehicle access.

In previous options presented, the provision of an 'emergency vehicle access' road was shown across the designated green belt land onto Southstoke Lane.

I wish to put forward two considerations 1. There is already an access tarmaced road from Southstoke Lane through to the farm buildings. A connection to this should suffice - IF it is indeed emergency use.

2. Access via a new road across the green belt fields to Southstoke lane would destroy the view from the monument south, would cut the green belt and would change the identity of the land and its rural aspect. A further nightmare would be that it may be lit (with light pollution etc) and be used as an alternative cut through access - and therefore full vehicle usage - making the green belt dangerous to use.

Please let's ensure that this is preserved now that such a large amount of the precious green belt has already gone to feed the farmers long held desire.

Q5 Change Requested

Does the Respondent wish to participate at the Examination (ticked if yes)?

Why does the Respondent feel it is necessary to participate at the Examination?

Main Modification Reference: MM37

Respondent Number: 4808 Comment Number: 1 Representation received late:
Name: M&R Currell Organisation:
Agent Name: Agent Organisation:
Further Information available in the original comment? No Attachments sent with the comment? No

Does the respondent consider the document is legally compliant? (Tick if indicated 'yes')
Does the respondent consider the document is sound? No
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The representation relates to: MM37

No comment:

Q4 Soundness Comment

Site SR5 (Pinkers Farm, East Harptree) has a history of adverse planning applications/decisions, the latest of which (ref: 16/04249/FUL) was, on 22 November 2016, objected to, in principle, by the Parish Council - see attached Consultation Response. In addition, on 11 January 2017, the council's Drainage and Flooding Team stated in its Consultation Response that the application is not acceptable in its present form. We consider that the continued inclusion of this site is not sound on the grounds that it is unlikely to be delivered in the plan period, if at all, and that it has not been properly considered against the reasonable alternatives.

Q5 Change Requested

We consider that Site SR5 should be deleted and that an alternative site (Site SR7) should be considered as a replacement. Site SR7 has previously been assessed by the Parish Council (see East Harptree site assessments - November 2014 - Examination Doc. ref: CD/PMP/RA5) as a site suitable for development.

Does the Respondent wish to participate at the Examination (ticked if yes)?

Why does the Respondent feel it is necessary to participate at the Examination?